The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SEATTLE TIMES COMPANY, Plaintiff, vs. LEATHERCARE, INC., STEVEN RITT, an individual, and the marital community composed of STEVEN RITT and LAURIE ROSEN-RITT Defendants and Third Party Plaintiffs vs. TOUCHSTONE SLU LLC, a Washington limited liability company; TB TS/RELP LLC, a Washington limited liability company; AMERICAN LINEN SUPPLY CO., a Washington corporation; and DOES 1-20 Third Party Defendants.	Case No.: 2:15-cv-01901-TSZ **DECLARATION OF JEFF B. KRAY**

I, Jeff B. Kray, declare and state as follows:

1. I am an attorney at the law firm of Marten Law PLLC, and I represent Plaintiff Seattle Times Company (the "Times") in *Seattle Times Company v. LeatherCare, Inc.*, USDC Western Washington, No. 2:15-cv-01901-TSZ. I am over the age of eighteen and competent to testify as to the facts stated therein.

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2. Attached as **Exhibits 1-6** are true and correct copies of the expert reports of Bruce Dale, Peter Krasnoff, Peter Jewett, Jeffrey Zelikson, Richard White, and Peter Hsiao, submitted on behalf of the Times on April 19, 2017.

3. Attached as **Exhibit 7** is a true and correct copy of the expert report of Pamela J. Morrill submitted on behalf of LeatherCare on April 19, 2017.

4. Attached as **Exhibit 8** is a true and correct copy of the June 2, 2017, email from counsel for LeatherCare, Jo Flannery, requesting an extension to the June 9, 2017, rebuttal report deadline.

5. Attached as **Exhibit 9** is a true and correct copy of the June 2, 2017, email from me to counsel for LeatherCare declining the request for extension to the June 9, 2017, rebuttal report deadline.

6. Attached as **Exhibit 10** is a true and correct copy of the Expert Rebuttal and Supplemental Report submitted by Pamela J. Morrill on behalf of LeatherCare on June 9, 2017.

7. Attached as **Exhibit 11** is a true and correct copy of a June 16, 2017, letter that I sent to counsel for LeatherCare requesting that LeatherCare strike portions of the June 9, 2017 Morrill Expert Rebuttal and Supplemental Report.

8. On June 20, 2017, I met and conferred with counsel for LeatherCare, Ms. Jo Flannery, via telephone to address the content of the Times' June 16, 2017, letter requesting that LeatherCare strike portions of the June 9, 2017 Morrill Expert Rebuttal and Supplemental Report. Counsel for LeatherCare refused to comply with the terms of the Times' June 16, 2017, letter, instead recommending that the Times stipulate to allowing LeatherCare to include the supplemental portions of the June 9, 2017 Morrill Expert Rebuttal and Supplemental Report as a new, supplemental report, with all parties having the opportunity to file concurrent supplemental reports. I stated that a request for supplemental reports would require action from the Court and that the Times would evaluate such a proposal from LeatherCare if it were made, but that, in the interim, the Times would pursue a motion from the Court. To date, LeatherCare has not made a

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formal proposal in an attempt to cure the deficiencies in the Morrill Expert Rebuttal and Supplemental Report.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

DATED 6/29/17

Jeff B. Kray

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CERTIFICATE OF SERVICE

I hereby certify that on June 29, 2017, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Jo Flannery	flannery@ryanlaw.com
Alexandra Gilliland	alexandra.gilliland@foster.com
Jeremy Larson	jake.larson@foster.com
Ken Lederman	ken.lederman@foster.com
Kristin Meier	kmeier@ryanlaw.com

I declare under penalty of perjury and the laws of the United States of America that the foregoing is true and correct.

DATED June 29, 2017.

s/ Jeff B. Kray
Jeff B. Kray

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